

DOCKET NO.: HHB-CV-15-6029045-S : SUPERIOR COURT
ANTHONY GEORGER : J.D. OF NEW BRITAIN
V. : AT NEW BRITAIN
SHELDON B. CROSBY, ET AL : DECEMBER 31, 2015

DEFENDANT'S, ERIC STROM, ANSWER AND SPECIAL DEFENSE

COUNTS ONE THROUGH EIGHT:

The undersigned defendant does not respond to Counts One through Eight in that said Counts are not directed against said defendant. However, any allegation which directly or indirectly references the undersigned defendant is hereby denied unless otherwise expressly admitted within this pleading.

COUNT NINE: NEGLIGENT ASSAULT AS TO THE DEFENDANT, ERIC STROM

1. As to Count One, the undersigned defendant has no knowledge or information sufficient to form a belief and, therefore, leaves the plaintiff to his proof.
- 2-4. Paragraphs Two through Four are admitted.
5. Paragraph Five is denied.
6. Paragraph Six is admitted.
7. Paragraph Seven is admitted.

8. As to Paragraph Eight, the undersigned defendant has no knowledge or information sufficient to form a belief and, therefore, leaves the plaintiff to his proof.

9. Paragraph Nine is denied.

10-12. So much of Paragraphs Ten through Twelve as allege the negligence of the undersigned defendant are hereby denied. As to the remaining allegations of Paragraphs Ten through Twelve, the undersigned defendant has no knowledge or information sufficient to form a belief and, therefore, leaves the plaintiff to his proof.

13. Paragraph Thirteen is denied.

COUNT TEN: INTENTIONAL ASSAULT AS TO THE DEFENDANT, ERIC STROM

1-8. The answers to Paragraphs One through Eight of Count Nine are hereby incorporated and made the answers to Paragraphs One through Eight of this Count Ten as more fully set forth herein.

9. Paragraph Nine is denied.

10-12. So much of Paragraphs Ten through Twelve as allege any willful, wanton or malicious conduct of the undersigned defendant are hereby denied. As to the remaining allegations of Paragraphs Ten through Twelve, the undersigned defendant has no knowledge

or information sufficient to form a belief and, therefore, leaves the plaintiff to his proof.

COUNTS ELEVEN AND TWELVE:

The undersigned defendant does not respond to Counts Eleven and Twelve in that said Counts are not directed against said defendant. However, any allegation which directly or indirectly references the undersigned defendant is hereby denied unless otherwise expressly admitted within this pleading.

By way of Special Defense:

First Special Defense to Count Nine:

If the plaintiff suffered any injury or damage as alleged in his complaint, said injury or damage was caused by his own negligence and carelessness at said time and place in one or more of the following ways:

- a. in that he instigated a fight at the premises and provoked and cajoled the actions of the other individuals present on the premises;
- b. in that he allowed himself to consume alcohol and/or other substances which impaired his judgment, lowered his inhibitions and increased his aggression;
- c. in that he exhibited threatening behavior and language towards other individuals present on the premises;
- d. in that he failed to make full and proper use of his senses and faculties;

- e. in that he remained on the premises after being asked to leave when, in the exercise of due care, he should have left the premises as requested; and
- f. in that he physically struck or grabbed other individuals on the premises at an earlier point in the evening.

First Special Defense to Count Ten:

If the plaintiff suffered any injury or damage as alleged in his complaint, said injury or damage was caused by his own willful, wanton and malicious conduct at said time and place in one or more of the following ways:

- a. in that he willfully, wantonly and/or maliciously instigated a fight on the premises and provoked and cajoled the actions of the other individuals present on the premises;
- b. in that he willfully and intentionally consumed alcohol and/or other substances which impaired his judgment, lowered his inhibitions and increased his aggression;
- c. in that he willfully, wantonly and aggressively threatened other individuals on the premises with words and actions;
- d. in that he willfully and intentionally remained on the premises after being asked to leave with the full knowledge that his presence on the premises was provocative and threatening to others; and
- e. in that he willfully, wantonly and maliciously struck and/or grabbed other individuals on the premises.

Second Special Defense to Counts Nine and Ten:

Any actions by the undersigned defendant were conducted in self-defense of the threat of physical bodily harm from the plaintiff.

DEFENDANT: ERIC STROM

By /S/ 404555
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CERTIFICATION

This hereby certifies that a copy of the foregoing was electronically transmitted by fax or mailed, postage prepaid, on this 31st day of December, 2015 to:

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